

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**JAMES ANTHONY SWILLEY**

**PETITIONER**

**V.**

**CAUSE NO. 3:16-CV-230-CWR-RHW**

**WARDEN NEAL HIGGASON**

**RESPONDENT**

**ORDER ADOPTING REPORT AND RECOMMENDATION**

Before the Court are the Magistrate Judge's Report and Recommendation (R&R), Docket No. 20, and petitioner James Anthony Swilley's objection to that R&R, Docket No. 22. Swilley's objection re-urges his arguments that he was denied effective assistance of counsel and due process of law in Mississippi state court criminal proceedings.

Having reviewed the R&R, Swilley's objection, and the relevant portions of the record, this Court is unpersuaded that Swilley has met the high standard necessary to obtain habeas relief. *See* 28 U.S.C. § 2254. The R&R is therefore adopted as the Court's own Order and this case is dismissed. No certificate of appealability shall issue.

**SO ORDERED**, this the 19th day of June, 2017.

s/ Carlton W. Reeves  
UNITED STATES DISTRICT JUDGE